

Miller Boards to Have Full Power to Abrogate All Utilities Contracts

House Calls For Wilson's Paris Bills

State-Wide Commission Given Right to Cancel Rate Schedules, Even Those Provided by Law

Burden of Proof On Corporations

Up-State Cities Having Fare Agreements Put on Same Basis as New York

From a Staff Correspondent

ALBANY, Feb. 15.—Governor Miller to-night made public additional sections of the bill which will be introduced to-morrow.

the present Public Service Commissions out of office and establishing in their stead a transit commission having jurisdiction over the New York City transit corporations and a state-wide public service commission, having equally sweeping power over all other public utilities in the state.

Under the provisions of the bill all upstate municipalities having rate or fare contracts with public utility corporations are placed on the same footing with New York City in the matter of fares, rates or charges.

The bill provides that the statewide commission, after a hearing, shall determine just and reasonable rates, "notwithstanding that a higher or lower rate, fare or charge has been heretofore prescribed by general or special statute, grant, franchise condition or other agreement."

The New York Transit Commission will have supervision over all New York City transit matters. The Public Service Commission will have jurisdiction over all other public utilities. Both have the same broad grants of power to abrogate contracts and to fix fares.

The measure re-enacts, so far as upstate is concerned, the law providing that where a railroad or transit company is authorized to increase its fare, it must first file with the commission for an increased fare, the burden of proof to show that the increase is just and reasonable is upon the corporation. All the other provisions of the present law bearing upon this subject are repeated in the proposed legislation.

Made a Judicial Tribunal

The measure in other respects carries out all the recommendations Governor Miller made to the Legislature in his special message. The terms of the commission for the next year, the commission are made fifteen years, and the same safeguards respecting the removal of members of the Supreme Court bench are thrown around the Public Service Commission. This will raise the Public Service Commission to the dignity of a judicial tri-

The transit commission for New York City will consist of three members, all residents of the city. Their terms will be five years. They will be removed by the Governor after a hearing on charges. The members of the up-state commission may be removed only by two-thirds vote of the Legislature.

Governor Miller, in discussing the bill with the newspaper correspondents, was asked if he had as yet determined upon the men who will sit on the commissions.

"Not yet," said the Governor.

"Under the provisions of the bill, could the commissioners, immediately on being appointed, raise any rates or fares they so minded without giving public hearing?"

"Yes," replied the Governor. "But who ever heard of any Court of a commission doing any such thing?"

The principal sections of the bill follow:

"Section 4. Public Service Commission established; appointment; removal; terms of office. There shall be a public service commission, which shall possess the powers and duties hereinafter specified and also all powers necessary or proper to enable it to carry out its duties."

The commission shall consist of five members, to be appointed by the Governor, by and with the advice and consent of the Senate.

"A member of the commission designated by the Governor shall, during his term of office, be the chairman of the commission. Upon the appointment of a successor to the chairman the Governor shall designate such successor or another member of the commission as chairman.

Terms of Fifteen Years

"The term of office of a commissioner shall be fifteen years from the first day of February of the calendar year in which he shall be appointed, except that the commissioners first appointed shall be appointed for such terms that the term of one commissioner shall expire on the first day of February, 1924, and the term of another commissioner shall expire on the first day of February of each third year thereafter. Vacancies shall be filled by appointment for the unexpired term.

"A member of the commission may

be removed by concurrent resolution of both houses of the Legislature if two-thirds of the members elected to each house concur the member shall be removed only for cause, which shall be entered on the journal, and he shall be served with a statement of the cause alleged and shall have an opportunity to be heard. On the question of removal, the yeas and nays shall be entered upon the journal.

"Section 4-A. Transit commission established, appointment, term, removal. There shall be a transit commission which shall contain a population of more than 100,000 inhabitants, according to the last preceding Federal census or state enumeration.